

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Civil No. 04-4323 (DWF/JSM)

Petitioner,

v.

ORDER

Dewayne Pressley,

Respondent.

James S. Alexander, Assistant United States Attorney, United States Attorney's Office, counsel for Petitioner.

Katherine Menendez, Assistant Federal Public Defender, Federal Public Defender's Office, counsel for Respondent.

The above-entitled matter was heard by the Court pursuant to the Notice Of Filing Of Certificate Of Recovery and Request To Discharge From Psychiatric Hospitalization. Based upon the Notice filed by the Plaintiff, the Updated Risk Assessment attached to the Notice, the Certificate Of Recovery And Request To Discharge Respondent Dewayne Pressley from Psychiatric Hospitalization signed by Marty C. Anderson, Warden, Federal Medical Center, Rochester Minnesota, and based upon all the files and records of the proceedings herein, it is hereby Ordered:

1. Respondent Dewayne Pressley's commitment to the custody of the United States Attorney General for hospitalization at FMC-Rochester is discharged pursuant to 18 U.S.C. § 4246(e);

2. Dewayne Pressley shall be released from FMC-Rochester within a reasonable time, not to exceed three business days from the receipt of this order by FMC-Rochester.

Dated: September 9, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court